



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/786,571	02/25/2004	David J. Barbee	TECH 6169

CONFIRMATION NO. 2549

## FORMALITIES LETTER



\*OC000000012705921\*

000321  
 SENNIGER POWERS LEAVITT AND ROEDER  
 ONE METROPOLITAN SQUARE  
 16TH FLOOR  
 ST LOUIS, MO 63102

Date Mailed: 05/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

## Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$782 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

## SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1232 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$782

07/20/2004 MBELETE1 00000008 10786571

01 FC:2001	385.00 DP
02 FC:2051	65.00 DP
03 FC:2201	43.00 DP
04 FC:2202	594.00 DP
05 FC:2203	145.00 DP

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- \$43 for 1 independent claims over 3.
- \$594 for 66 total claims over 20.
- \$145 for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**FEE TRANSMITTAL**

Application Number 10/786,571  
Filing Date February 25, 2004  
Confirmation No. 2549  
Inventor(s) Barbee, et al.  
Group Art Unit 1772  
Examiner Name To Be Assigned  
Attorney Docket Number TECH 6169

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.  
☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.  
☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1. ☐ BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_  
Total Claims \_\_\_\_\_  
Independent Claims \_\_\_\_\_  
Multiple Dependent Claims \_\_\_\_\_
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 1232.00  
☒ Surcharge - late filing fee or oath  
☐ Surcharge - late provisional filing fee or cover sheet  
☐ Extension for reply within \_\_\_\_\_ month  
☐ Notice of Appeal  
☐ Filing a Brief in Support of an appeal  
☐ Request for ex parte Reexamination  
☐ Petitions to the Commissioner  
☐ Submission of Information Disclosure Statement  
☐ Recording each patent assignment per property  
☐ Request for Continued Examination  
☐ Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT** \$ 1232.00

Michael E. Godar  
Michael E. Godar, Reg. No. 28,416

7/16/04  
Date

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TECH 6169  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Barbee, et al.  
Serial No. 10/786,571  
Filed February 25, 2004  
Confirmation No. 2549  
For OPTICALLY READABLE DATA STORAGE MEDIUM

Art Unit 1772

July 16, 2004

**LETTER IN RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NON-PROVISIONAL APPLICATION - FILING DATE GRANTED**

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

In response to the "Notice to File Missing Parts of Non-Provisional Application - Filing Date Granted," dated May 19, 2004, enclosed is applicants' signed Declaration and Power of Attorney in the above-referenced application. A copy of the Notice is returned herewith.

Also enclosed is a check in payment of the application filing fee and surcharge.

An assignment by the inventor(s) to Flexity LLC is being mailed today.

Respectfully submitted,

Michael E. Godar, Reg. No. 28,416  
SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

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